**REMARKS**

Claims 1-11 are were pending in this Application as of the instant Office Action. Claim 1 is amended and claim 2 is cancelled with this Response. An RCE entering this Response is also included herewith.

Rejections under 35 U.S.C. 102(b)

Claims 1-8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6,164,551 to Altwasser ("Altwasser" hereinafter). Applicant respectfully traverses.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicant's claim 1 recites *inter alia*,

"wherein the transponder chip has a first capacitor of predetermined value and wherein a second capacitor is placed in parallel with the electronic chip in such a way that the overall capacitance of the antenna is greater than or equal to 140 pF."

Altwasser does not teach a transponder chip that includes a first capacitor and second capacitor placed in parallel with an electronic chip. To the contrary, referring to column 3, lines 58-64 of Altwasser, there is taught that the total capacitance is supplied by an antenna coil, and that an additional capacitor is provided in order to store an amount of energy sufficient to activate the transponder as required. For at least this reason, Applicant respectfully asserts that Altwasser does not teach every element of Applicant's amended claim 1, or claims 3-8 and 10 that depend therefrom.

Furthermore, Applicant respectfully notes that the resonant antennas of the Altwasser, and the rest of the prior art discussed below, are very sensitive to the environment, particularly when the antennas are worn close to the body or in humid conditions. Technical abilities and

features (like resonant frequency) are impaired in such conditions.

During use of the prior art resonant antennas during humid conditions, stray capacitances are added to the capacitor of the transponder chip, and thus the resonant frequency of the antenna decreases, and the antenna will not be detected. Use of a second capacitor placed in parallel with an electronic chip that comprises a capacitor, as claimed by Applicant, allows protects of the antenna against external disturbances such as those discussed above. In an exemplary embodiment, the use of a second capacitor placed in parallel with an electronic chip that comprises a capacitor allows stabilization of the resonant frequency and Q-factors in humid conditions. Such a feature creates a resonant antenna that is essentially insensitive to the environment.

Rejections under 35 U.S.C. 103(a)

Claim 9 is rejected under 35 U.S.C. 103(a) as being obvious over Altwasser in view of United States Patent No. 6,600,420 to Goff ("Goff" hereinafter). Applicant respectfully traverses.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claim 9 depends from claim 1. As such, for at least the reasons set forth in the remarks above, Altwasser does not teach every element of Applicant's claim 9. Therefore, as Goff does not remedy the deficiencies of Altwasser with regards to claim 1, Applicant respectfully submits that the proposed combination of Altwasser and Goff does not teach every element of Applicant's claim 9. Accordingly, Applicant respectfully submits that *prima facie* obviousness does not exist regarding claim 9 with respect to the proposed combination of Altwasser and Goff.

Since the proposed combination of Altwasser and Goff fails to teach or suggest all of the limitations of claim 9, clearly, one of ordinary skill at the time of Applicant's invention would not have a motivation to modify or combine the reference, or a reasonable likelihood of success in forming the claimed invention by modifying or combining. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Claim 11 is rejected under 35 U.S.C. 103(a) as being obvious over Altwasser in view of United States Patent No. 7,154,449 to Liu ("Liu" hereinafter). Applicant respectfully traverses.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claim 11 depends from claim 1. As such, for at least the reasons set forth in the remarks above, Altwasser does not teach every element of Applicant's claim 11. Therefore, as Liu does not remedy the deficiencies of Altwasser with regards to claim 1, Applicant respectfully submits that the proposed combination of Altwasser and Liu does not teach every element of Applicant's claim 11. Accordingly, Applicant respectfully submits that *prima facie* obviousness does not exist regarding claim 11 with respect to the proposed combination of Altwasser and Liu.

Since the proposed combination of Altwasser and Liu fails to teach or suggest all of the limitations of claim 11, clearly, one of ordinary skill at the time of Applicant's invention would not have a motivation to modify or combine the reference, or a reasonable likelihood of success in forming the claimed invention by modifying or combining. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Conclusion

The prior art rejections herein overcome. Entry of the present Response with Amendment and prompt issuance of a Notice of Allowance are respectfully requested.

Applicant hereby petitions for any extension of time necessary for consideration of this Response.

Please charge any fees due with respect to this Response, or otherwise regarding the application, to Deposit Account 06-1130 maintained by Applicant's attorneys.

The Office is invited to contact Applicants' attorneys at the below-listed telephone number regarding this Response or otherwise concerning the present application.

Respectfully submitted,

By: /Daniel R. Gibson/

Daniel R. Gibson
Registration No. 56,539
CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103
Telephone: 860-286-2929
Facsimile: 860-286-0115
Customer No. 23413

Date: June 17, 2008